

HOUSE BILL No. 1064

DIGEST OF INTRODUCED BILL

Citations Affected: IC 32-26-9-4.

Synopsis: Partition fences. Provides that property owned by the state, a political subdivision of the state, a city, or a town is not exempt from partition fence construction and maintenance claims under certain property tax exemptions.

Effective: July 1, 2008.

Dodge

January 8, 2008, read first time and referred to Committee on Local Government.

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Introduced

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

HOUSE BILL No. 1064

A BILL FOR AN ACT to amend the Indiana Code concerning property.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 32-26-9-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 4. (a) As soon as the
3 township trustee has had a fence built, rebuilt, or repaired under this
4 chapter, the trustee shall make out a certified statement in triplicate of
5 the actual cost incurred by the trustee in the building, rebuilding, or
6 repairing the fence. One (1) copy must be handed to or mailed to the
7 property owner affected by the work, one (1) copy must be retained by
8 the trustee as a record for the township, and one (1) copy must be filed
9 in the auditor's office of the county in which the fence is located and in
10 which the property of the property owner affected by the work is
11 located. At the same time the trustee shall also file with the county
12 auditor a claim against the county for the amount shown in the
13 statement filed with the county auditor.
14 (b) The county auditor shall:
15 (1) examine the claims and statement as other claims are
16 examined; and
17 (2) present the claims and statements to the board of county



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commissioners at the next regular meeting.

Unless there is an apparent error in the statement or claim, the board of county commissioners shall make allowance, and the county auditor shall issue a warrant for the amount claimed to the township trustee submitting the claim out of the county general fund without an appropriation being made by the county council.

(c) The amount paid out of the county general fund under subsection (b) shall be:

(1) placed by the county auditor on the tax duplicate against the property of the property owner affected by the work;

(2) collected as taxes are collected; and

(3) when collected, paid into the county general fund.

(d) The exemptions under IC 6-1.1-10-2, IC 6-1.1-10-4, and IC 6-1.1-10-5 do not apply to claims to be collected under this chapter.

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